



PATENT
717119.481

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Eger, Horst

Examiner: Not yet known

Serial No.: 10/707,959

Group Art Unit: 2621

Filed: January 28, 2004

Attorney Docket No.: 717119.481

For: IMAGE ANALYSIS SYSTEMS FOR
GRADING OF MEAT, PREDICTING
QUALITY OF MEAT AND/OR
PREDICTING MEAT YIELD OF AN
ANIMAL CARCASS

Customer No.: 027128

Commissioner for Patents
Office of Petitions
P.O. Box 1450
Alexandria, VA 22313

Confirmation No.: 1958

PETITION UNDER 37 C.F.R. SECTION 1.182

12/20/2004 CKHLOK 00000014 110160 10707959 TO CHANGE ORDER OF LISTED INVENTORS

01 FC:1999 130.00 DA

INTRODUCTION:

This Petition is to correct the listing of inventors. Horst Eger has provided the greatest contribution to the Applicants' Invention and it would be unfair and unjust not to list him as the primary inventor on U.S. Patent Application No. 10/707,959 when the patent application is published as an issued patent.

STATEMENT OF FACTS:

The initial declaration as filed in the case inadvertently listed Peter Haagensen as the primary inventor. This was merely a clerical oversight.

04/06/2004 TBESHAN1 00000054 110160 10707959

01 FC:8029 130.00 DA

Adjustment date: 12/20/2004 CKHLOK 00000054 110160 10707959
04/06/2004 TBESHAN1 00000054 110160 10707959
01 FC:8029

Application of: Eger, Horst
Serial No: 10/707,959
Petition

ACTION REQUESTED:

Rectify the listing of inventors so that Horst Eger is listed as the primary inventor. This is followed by Mohammed Koohmaraie, followed by Steven D. Shackelford, followed by Peter Haagensen followed by Tommy L. Wheeler.

DISCUSSION:

The Manual for Patent Examining Procedure Section 605.04(f) provides for the rectification of the listed order of inventors upon petition under 37 C.F.R. Section 1.182. The listing of inventors has no legal significance, however there is a strong implication to the general public that the first named inventor made the primary contribution to the Invention. However, in this case, Peter Haagensen did not make the primary contribution and it would be tremendously unfair and unjust to list Peter Haagensen as the primary inventor instead of Horst Eger. The listing of Peter Haagensen first, was merely a clerical oversight. Since this is merely an administrative and procedural matter, it is respectfully believed that there is no reasonable basis not to grant this Petition to rectify what is merely a clerical oversight.

CONCLUSION:

Therefore, it is respectfully requested that the listing of inventors be corrected with the primary inventor being Horst Eger, which is then followed by Peter Haagensen, followed by Mohammed Koohmaraie, followed by Steven D. Shackelford, followed by Tommy L. Wheeler.

A denial of this Petition would operate as a tremendous injustice and mislead the general public as to which inventor made the primary contribution. Therefore, the granting of this Petition to rectify a mere clerical error and provide proper notification to the public is respectfully requested.

If a telephone conference would facilitate resolving any issue related to this Petition, the undersigned attorney for the Applicants would appreciate and welcome such

Application of: Eger, Horst
Serial No: 10/707,959
Petition

a telephone conference. The attorney for the Applicants may be contacted as provided below.

Respectfully submitted,

Dated: April 01, 2004



Mark E. Stallion
Registration No. 46,132
Blackwell Sanders Peper Martin L.L.P.
720 Olive Street, 24th Floor
St. Louis, MO 63101
(314) 345-6249
Attorney for Applicants